

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF INDIANA  
NEW ALBANY DIVISION

IN RE: ) Chapter 11  
          )  
EASTERN LIVESTOCK CO., LLC, ) Case No. 10-93904-BHL-11  
          )  
          Debtor. ) Hon. Basil H. Lorch III

**MOTION FOR ORDER APPROVING OFFICE AGREEMENT BY AND BETWEEN  
TRUSTEE AND REGUS MANAGEMENT GROUP, LLC**

James A. Knauer, chapter 11 trustee ("Trustee") in the above-captioned case ("Chapter 11 Case"), seeks the entry of an order, pursuant to section 363 of title 11 of the United States Code (the "Bankruptcy Code") approving the Trustee's execution of an Office Agreement ("Agreement") with Regus Management Group, LLC ("Regus"). In support of this motion (the "Motion"), the Trustee respectfully represents as follows:

1. Since the beginning of the Chapter 11 Case, certain of the Trustee's professionals and staff have occupied real estate commonly known as 135 West Market Street, New Albany, Indiana 47150 ("New Albany Office") pursuant to a lease with Republic Bank & Trust Company ("Republic"). The New Albany Office previously served as headquarters for Eastern Livestock Co., LLC ("Debtor"). All of Debtor's currently available books and records are located at the New Albany Office.

2. The New Albany Office is no longer necessary for prosecution of this Chapter 11 Case, and the Trustee has located alternative office space in Louisville, Kentucky that can be occupied by the Trustee at significant cost savings (approximately \$7,500 a month) for Debtor's estate. The alternative office space is commonly known as 312 S. Fourth Street, Suite 700, Louisville, Kentucky 40202 (the "Office Space").

3. Pursuant to the Agreement, the Trustee will occupy the Office Space free of charge (other than a \$60 monthly fee) for the first two months of the Agreement. After that, the Trustee will be responsible for a base rental fee of \$2,460 per month starting November 1, 2012 through March 31, 2013, subject to extension by the Trustee should he deem it in the best interests of the estate. The Trustee will also be responsible for monthly service charges associated with services such as communications, copying, administrative and other support. The Trustee must also pay a deposit of \$4,920 to be applied towards the Trustee's obligations under the Agreement. The Agreement represents a significant cost savings for Debtor's estate.

4. The Trustee provided notice of his intent to terminate the lease of the New Albany Office effective as of October 14, 2012, five days after the scheduled October 9, 2012 auction date for the sale of Debtor's remaining personal property located at the New Albany Office. *See* Dock. No. 1420. The Trustee will need to relocate staff and books and records from the New Albany Office prior to the October 9, 2012 auction date. As a result, the start date of the Agreement is October 1, 2012, and the Trustee will file a motion contemporaneously herewith seeking expedited approval of this Motion so that the relocation can occur the first week of October.

5. The Trustee has negotiated the Agreement with Regus according to his business judgment to conserve estate resources. The Agreement is the product of good-faith, arms-length negotiations.

6. The Trustee is also filing a motion (the "DataVault Motion") seeking authority to enter into a Storage and Service Agreement with The DataVault for the storage of Debtor's books and records that are not immediately necessary for prosecution of the Chapter 11 Case. The DataVault Motion also seeks authority to destroy certain of Debtor's books and

records that are more than seven years old. All necessary books and records will be relocated to the Office Space.

**WHEREFORE**, the Trustee respectfully requests that the Court enter an order on an expedited basis approving the Trustee's execution and performance of the Agreement and granting such other and further relief as this Court deems just.

Respectfully submitted,

FAEGRE BAKER DANIELS, LLP

By: /s/ Dustin R. DeNeal

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## CERTIFICATE OF SERVICE

I hereby certify that on September 19, 2012, a copy of the foregoing pleading was filed electronically. Notice of this filing will be sent to the following parties through the Court's Electronic Case Filing System. Parties may access this filing through the Court's system.

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I further certify that on September 19, 2012 a copy of the foregoing pleading was served via electronic mail transmission on the following:

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